

May 5, 1997

DURHAM, NORTH CAROLINA
MONDAY, MAY 5, 1997
7:30 P.M.

The Durham City Council met in regular session on the above date and time in the Council Chamber at City Hall with the following members present: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Absent: None.

Also present: Interim City Manager Cecil Brown, City Attorney William I. Thornton, Jr., City Clerk Margaret M. Bowers and Deputy City Clerk D. Ann Gray.

The meeting was called to order by the Mayor and at this time the following proclamations were read: "Drinking Water Week" and "Preservation Week."

Mayor Kerckhoff asked for priority items from the Interim City Manager, City Attorney and City Clerk. Interim City Manager Brown recognized City Engineer Ken Wright. Mr. Wright introduced two special guests Mr. and Mrs. Mabuzea visiting from Swatzenland. Interim City Manager Brown informed the council that the Stormwater Billing would begin on May 16, 1997. Also, Mr. Brown requested that GBA 3 a)2 be referred to the Taxicab Commission. **[No priority items from City Attorney/City Clerk]**

Mayor Kerckhoff asked if any council member(s) or citizen(s) wanted to pull any items from the Consent Agenda for discussion later in the meeting. At the request of a citizen, Council Member Miller requested that Consent Item 5 be pulled. It was noted by the Mayor that Consent Items 8 and 11 were revised at the Committee-of-the Whole Meeting on Thursday, May 1, 1997.

MOTION Council Member Larson seconded by Council Member Griffin to approve the Consent Agenda as amended was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

CONSENT AGENDA

SUBJECT: STATUS REPORT FROM OVERSIGHT COMMITTEE FOR SELECTION OF CITY MANAGER

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MOTION by Council Member Larson seconded by Council Member Griffin to receive a status report from the Oversight Committee for the Selection of City Manager was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

SUBJECT: ADOPTION OF THE 1997-98 HUD CONSOLIDATED ACTION PLAN
MOTION by Council Member Larson seconded by Council Member Griffin to adopt the 1997-98 Consolidated Action Plan and authorize the Planning Staff to submit the Plan to the Department of Housing and Urban Development was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT - DURHAM COMMUNITY SHELTER FOR H.O.P.E.

MOTION by Council Member Larson seconded by Council Member Griffin to adopt a "Resolution Authorizing the City Manager to Execute a Community Development Block Grant Subrecipient Agreement With Durham Community Shelter for H.O.P.E. (DCSH) in the Amount of \$30,000 for Design Work, Repairs and Equipment Purchase for the Period May 1, 1997 Through July 31, 1997" was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

Resolution #8329

SUBJECT: LOCAL LAW ENFORCEMENT BLOCK GRANT

MOTION by Council Member Larson seconded by Council Member Griffin to set a public hearing on Monday, May 19, 1997 to receive citizens' comments on the Police Department's recommended implementation plan for the Local Law Enforcement Block Grant was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

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SUBJECT: PROCESS FOR SELECTING BOND COUNSEL

MOTION by Council Member Larson seconded by Council Member Griffin to receive a report on the process for selecting bond counsel was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

SUBJECT: PUBLIC WORKS WEEK AND CUSTOMER SERVICE FAIR - NORTHGATE MALL

MOTION by Council Member Larson seconded by Council Member Griffin to receive a report from the Administration on the annual Public Works/Customer Service Fair to be held at Northgate Mall, Friday, May 16, 1997 from 10:00 a.m. to 5:00 p.m. was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

SUBJECT: PROPOSED CITY OF DURHAM RELOCATION ASSISTANCE POLICY
To adopt a policy establishing a Relocation Assistance Plan for residents displaced by City-funded projects.

MOTION by Council Member Larson seconded by Council Member Griffin to refer this item to the Public Works Committee was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

SUBJECT: ADOPTION OF RESOLUTIONS STATING INTENT TO ANNEX CITY OF DURHAM PROPERTIES AND SCHEDULING PUBLIC HEARINGS FOR SUCH ANNEXATIONS

- a. **MOTION** by Council Member Larson seconded by Council Member Griffin to adopt a Resolution of Intent to Annex City-Owned Properties and to set a public hearing on Monday, May 19, 1997--Area 1 as shown in attached memorandum was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member

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McKissick.

Resolution #8330

- b. **MOTION** by Council Member Larson seconded by Council Member Griffin to adopt a Resolution of Intent to Annex City-Owned Properties and to set a public hearing on Monday, May 19, 1997--Area 2 as shown in attached memorandum was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

Resolution #8331

- c. **MOTION** by Council Member Larson seconded by Council Member Griffin to adopt a Resolution of Intent to Annex City-Owned Property and to set a public hearing on Monday, May 19, 1997--Area 3 as shown in attached memorandum was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

Resolution #8332

SUBJECT: STREET CLOSING (SC97-1) - 26,528± SQUARE FEET OF SEMINARY STREET

MOTION by Council Member Larson seconded by Council Member Griffin to adopt a resolution declaring the intent of the City Council to permanently close 26,528± square feet of Seminary Street; and setting a public hearing on Monday, May 19, 1997 to consider closing 26,528 square feet of Seminary Street was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

Resolution #8333

SUBJECT: VOLUNTEER PROPERTY PURCHASE POLICY - ELIGIBILITY OF RENTAL PROPERTY

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MOTION by Council Member Larson seconded by Council Member Griffin to receive a report from the Administration/Attorney concerning the eligibility of rental property's inclusion in the Volunteer Property Purchase Policy; and

To re-affirm that the "Volunteer Property Purchase Policy" adopted by the City Council on July 15, 1996 also applies to Site 17A was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

SUBJECT: CONTRACT EXTENSION - SOIL EROSION PREVENTION SERVICE AT THE LANDFILL, CREWS BACKHOE SERVICE, (CONTRACT NO. 4-164-96)

MOTION by Council Member Larson seconded by Council Member Griffin to authorize the City Manager to extend the existing contract with Crews Backhoe Service for an additional year in the amount of \$49,500.00 for providing the City with soil erosion prevention service at the landfill was approved at 7:47 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

SUBJECT: UNIFORM RENTAL FOR A TWO-YEAR PERIOD - TEXTILELEASE CORPORATION

MOTION by Council Member Larson seconded by Council Member Griffin to authorize the City Manager to execute a contract with Textilease Corporation in the amount of \$83,304.00 for the rental of industrial uniforms for approximately 135 employees for 104 weeks was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

SUBJECT: TIME PAYMENT PETITIONS

MOTION by Council Member Larson seconded by Council Member Griffin to approve the nine Time Payment Petitions as listed below was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of

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Vote: Council Member McKissick.

1. Melvin L. and Jacleen A. Alexander - 5920 S. Miami Boulevard - Water Lateral, Water Main and Water Capital Facility Fee
2. Ronnie Earl Fletcher, Deborah Ann Bullock - 6018 Russell Road - Water Lateral and Water Main and Water Capital Facility Fee
3. Moses V. and Suzzette S. Goldman - 6415 Amhurst Street - Sewer Lateral and Sewer Capital Facility Fee
4. Robby G. and Gail T. Grissom - 2720 Beck Road - Water Lateral and Water Capital Facility Fee
5. George T. and Doris J. King, Sr. - 118 S. Mineral Springs Road - Sewer Lateral and Sewer Capital Facility Fee
6. Beverly H. Nobles - 2537 Barwick Drive - Water Lateral and Water Capital Facility Fee
7. Vivian M. Snipes - 929 Danbury Drive - Sewer Lateral and Sewer Capital Facility Fee
8. Sharon R. and Lee R. Wickey - 5405 Leesville Road - Water Lateral and Water Capital Facility Fee
9. Ronnie L. and Deborah J. Williams, Sr. - 2510 Redwood Road - Water Lateral, Water Main and Water Capital Facility Fee

SUBJECT: CITY COUNCIL MINUTES - CITY CLERK'S OFFICE

MOTION by Council Member Larson seconded by Council Member Griffin to approve the official minutes of the regular April 7, 1997 and April 23, 1997 City Council meetings was approved at 7:59 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

GENERAL BUSINESS AGENDA

[OTHER MATTERS]

SUBJECT: PROPOSED LANDFILL PROJECTS - RESOLUTIONS SETTING PUBLIC HEARINGS ON MONDAY, JUNE 2, 1997

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- a. Resolution Setting Public Hearing to Inform the Community of Proposed Waste Management Activities

MOTION by Council Member Larson seconded by Council Member Miller to adopt a "Resolution Setting Public Hearing to Inform the Community of Proposed Waste Management Activities" was approved at 8:00 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

Resolution #8335

- b. Resolution Setting Public Hearing Pertaining to a Landfill

MOTION by Council Member Larson seconded by Council Member Miller to adopt a "Resolution Setting Public Hearing Pertaining to a Landfill" was approved at 8:00 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

Resolution #8336

- c. Resolution Setting a Public Hearing to Consider Adoption of a Franchise Ordinance for Operation of a Landfill

MOTION by Council Member Larson seconded by Council Member Miller to adopt a "Resolution Setting a Public Hearing to Consider Adoption of a Franchise Ordinance for Operation of a Landfill" was approved at 8:00 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

Resolution #8337

SUBJECT: PROPOSALS FROM 4TH GRADE STUDENTS AT EASTWAY ELEMENTARY SCHOOL CONCERNING THE AREA AROUND EASTWAY ELEMENTARY SCHOOL

To receive proposals and hear from 4th grade students at Eastway Elementary School concerning appearance and safety

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issues in the area around Eastway Elementary School and to refer the proposals to the Administration.

Krystal Daye, President of the Educational Fan Club of Eastway Elementary School, stated Council Member Brown came to their class and informed them that as citizens they could come before the council and communicate their concerns and proposals.

Donald Hughes, a student at Eastway Elementary, stated he was concerned with the houses that are in need of repairs. He also noted broken bottles and glass was a problem in the area making the streets unsafe for traveling. He asked the council to implement a program to beautify the houses and grounds of Durham.

Cherie Bradley, a student at Eastway Elementary, asked the council to implement a program to clean-up the sidewalks in the area around Eastway Elementary School.

Jalil Stokes, a student at Eastway Elementary, requested council make East End Park a better place to play by cleaning it up and putting up new playground equipment.

Hazel Ford, a student at Eastway Elementary, requested that a recreational center be constructed. She stated if they had a recreation center, tutoring and afterschool programs would help the young kids stay off the streets.

Shanetta _____, a student at Eastway Elementary, stated her concerns were the lack of speed limit signs in the area creating danger for children. She also noted a store in the community where a lot of loitering, drinking and smoking takes place. She stated when children walk by Caroco Convenience Store they see and hear things that shouldn't and the students do not feel safe walking pass this store. She asked the council to erect signs noting no trespassing and no loitering.

The Mayor and Council Members thanked the students for sharing their concerns and proposals.

Council Member Hyman asked the manager to send a letter to the students informing them on the status of their proposals.

MOTION by Council Member Clement seconded by Council Member Cox to receive proposals and hear from 4th grade students at Eastway Elementary School concerning appearance and safety issues in the area around Eastway Elementary School and to refer the proposals to the administration; and

To ask the Interim City Manager to send a letter to the

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students informing them on the status of their proposals was approved at 8:14 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

SUBJECT: TAXICAB COMMISSION REPORT

To receive a report from the Taxicab Commission and to take action on the following recommendations of the Taxicab Commission--pursuant to Section 22.159.10 of the Durham City Code:

a. Transfer of Operator's Licenses

- 1) Transfer of Riley's Cab Company License #111 to Jacquelyn Rowell

Taxicab Inspector's Recommendation: Transfer Operator's License (in accordance with City Code)

Taxicab Commission's Recommendation: Transfer Operator's License; Vote 4-0

MOTION by Council Member Larson seconded by Council Member Clement to approve the Taxicab Commission's recommendation [transfer operator's license - Riley's Cab Company License #111 to Jacquelyn Rowell] was approved at 8:15 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

- 2) Transfer of Thompson's Cab Company License #54 to Michael Johnson, owner of Capell's Cab Company

Taxicab Inspector's Recommendation: Deny transfer Operator's License (in accordance with City Code)

Taxicab Commission's Recommendation: Revoke Operator's License; Vote 4-0

MOTION by Council Member Larson seconded by Council Member Clement to refer this matter to the Taxicab Commission was approved at 8:16 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

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- 3) Transfer of Sharrock's Cab Company #42 to Sirageldin Osman, owner of Safeway Cab Company

Taxicab Inspector's Recommendation: Transfer Operator's License (in accordance with City Code)

Taxicab Commission's Recommendation: Transfer Operator's License; Vote 4-0

MOTION by Council Member Larson seconded by Council Member Miller to approve the Taxicab Commission's recommendation [transfer operator's license - Sharrock's Cab Company #42 to Sirageldin Osman, owner of Safeway Cab Company] was approved at 8:16 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

- b. Violation of State Statute #20-66 (License Plate Requirements)

- 1) J. R. Dixon Cab Company

Taxicab Inspector's Recommendation: Suspend Operator's License for 30 days

Taxicab Commission's Recommendation: Allow Mr. Dixon to continue operating; Vote 4-0

MOTION by Council Member Clement seconded by Council Member Langley to approve the Taxicab Commission's recommendation [allow Mr. Dixon to continue operating] was approved at 8:17 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

- 2) Rainbow Cab Company

Taxicab Inspector's Recommendation: Revoke Operator's License

Taxicab Commission's Recommendation: Allow to operate with no future violations of any part of the City Taxicab Ordinance; Vote 4-0

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MOTION by Council Member Clement seconded by Council Member Miller to approve the Taxicab Commission's recommendation [allow to operate with no future violations of any part of the City Taxicab Ordinance] was approved at 8:17 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

3) Bull City Cab Company and Deluxe Cab Company

Taxicab Inspector's Recommendation: Suspend Operator's License for 30 days

Taxicab Commission's Recommendation: Allow to operate with no future violations of any part of the City Taxicab Ordinance; Vote 4-0.

MOTION by Council Member Miller seconded by Council Member Larson to approve the Taxicab Commission's recommendation [allow to operate with no future violations of any part of the City Taxicab Ordinance] was approved at 8:18 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

SUBJECT: PROPOSED RENAMING OF WILLARD STREET TO JACKIE ROBINSON DRIVE

MOTION by Council Member Larson seconded by Council Member Miller to receive a status report from the Administration concerning the renaming of Willard Street to Jackie Robinson Drive; and

To adopt a "Resolution Declaring the Intent of the City Council of the City of Durham to Rename Willard Street to Jackie Robinson Drive and Calling a Public Hearing Thereon" on Monday, June 2, 1997, 7:30 p.m., in the City Council Chamber, City Hall was approved at 8:21 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

Resolution #8334

SUBJECT: JACKIE ROBINSON PLACE LEASE, CBC REAL ESTATE, INC.

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To authorize the City Manager to execute a lease with CBC Real Estate, Inc. for the lease of the former right-of-way of Jackie Robinson Place and adjacent City property for an initial annual rental of \$22,080 for the construction and use as a surface parking lot for the Diamond View Office Building proposed to be constructed on an adjacent property.

To authorize the City Manager to make minor changes to the lease that do not affect the rent term or intended use of the property as stated in the lease.

MOTION by Council Member Larson seconded by Council Member Miller to continue this matter until the May 19, 1997 City Council Meeting was approved at 8:00 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

SUBJECT: NORTH CAROLINA CENTRAL UNIVERSITY'S LIGHTING AND PEDESTRAIN CONCERNS

MOTION by Council Member Wright seconded by Council Member Larson to authorize the expenditure of \$225,000 for the following improvements; and to adopt a "City of Durham Capital Project Ordinance NCCU Traffic and Pedestrian Signals" was approved at 8:23 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

Ordinance #11084

\$50,000 - Accelerated purchase of pedestrian signal heads at existing signalized intersections for the five locations listed below at \$10,000 each

- 1) Alston Avenue and Cecil Street
- 2) Alston Avenue and Lawson Street
- 3) East Lawson Street and Lincoln Street
- 4) Fayetteville Street and East Lawson Street
- 5) Fayetteville Street and Brant Street

\$175,000 - New traffic/pedestrian signals at the five locations listed below at \$35,000 each

- 1) Merrick Street/Dupree Street
- 2) Merrick Street/East Lawson Street
- 3) Fayetteville Street/Formosa Street
- 4) Cecil Street/Lincoln Street

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5) Fayetteville Street/Formosa Street

SUBJECT: 1997 BEER AND WINE LICENSES

MOTION by Council Member Wright seconded by Council Member Larson to approve the issuance of Beer and Wine Licenses to the establishments listed below was approved at 8:23 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, Miller and Wright. Noes: None. Absent At Time of Vote: Council Member McKissick.

Chopstix Chinese Restaurant
2000 Avondale Drive
Lu-Hsim Chang
Beer on premises
Wine on premises
(renewal)

Panini Inc. (new)
Bakery & Cafe
2514 University Drive
#15 Rockwood Bldg.
Roberto Gianfalla
Beer on premises
Wine on premises

Ravena's (renewal)
716 Ninth Street
John Browner
Beer on premises
Wine on premises

Owens Broad Street Diner
1802 W. Main Street
Greg Owens
Beer on premises
Wine on premises
(new)

Magnolia Inc.
DBA Magnolia Grill
1002 Ninth Street
Ben Baker
Beer on premises
Wine on premises

Shor Szechuan Chinese
Restaurant (renewal)
2105 East Hwy 54
Kwai-Tong Hon
Beer on premises
Wine on premises

A & P Mini Mart (new)
1709 Glen School Road
Praful Talaji
Beer off premises
Wine off premises

Hills Market #2 (renewal)
201 E. Geer Street
Willie Lee Hill
Beer off premises
Wine off premises

Bells & Sons Amoco (renewal)
220 Lakewood Avenue
George Bell, Jr.
Beer off premises
Wine off premises

Hills Open Air Market
712 S. Alston Avenue
Willie L. Hill
Beer off premises
Wine off premises
(renewal)

Bowling Exxon (renewal)
4530 Roxboro Road
Robert Bowling
Beer on premises

Hilltop Food Mart (new)
204 N. Hardee Street
Raja J. Ahmad
Beer off premises

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BP Convenience Ctr. (renewal)
2211 N. Roxboro Road
Altaf Hussain
Beer off premises
Wine off premises

Capi's Deli Inc. (renewal)
1914 Sedwick Road
Anthony N. Capozzoli Sr.
Beer off premises
Wine off premises

Capi's Inc./Capi's Jr.
106 Hwy 54
Anthony Cappozzoli
Beer off premises
Wine off premises
(renewal)

Cash & Carry (renewal)
5425 Craig Road
Burnette Scurlock
Beer off premises

Community Store (renewal)
106 S. Guthrie Street
Irene Fowler
Beer off premises
Wine off premises

FJ's Emporium (renewal)
106 Morris Street
Francis D. Jackson
Beer off premises
Wine off premises

Elliott's Amoco (new)
2900 Durham Chapel Hill Blvd.
Azem Mansour
Beer off premises
Wine off premises

Tops Citgo Mart #6 (renewal)
2110 Roxboro Road
Deborah Utley
Beer off premises

Wine off premises

Lakewood Mini Mart
1925 Chapel Hill Road
Altaf Hussain
Beer off premises
Wine off premises
(renewal)

Town Deli Grocery #2
1432 Lawson Street
Mohamed H. Mohamed
Beer off premises
Wine off premies
(renewal)

Zip Mart #24 (renewal)
3705 N. Duke Street
A. Donald Stallings
Beer off premises
Wine off premises

Zip Mart #26 (renewal)
3223 NC Hwy 55
A. Donald Stallings
Beer off premises
Wine off premises

Zip Mart #27 (renewal)
5274 N. Roxboro Road
A. Donald Stallings
Beer off premises
Wine off premises

Handi Mart (new)
1003 Fayetteville Street
Willie Lee Buckley, Jr.
Beer off premises
Wine off premises

CDD Beverage Mgmt Inc.
Courtyard by Marriott
1815 Front Street
Stevens D. Jorns
Beer on premises
Wine on premises

Dreamaker Designs
706 1/2 Ninth Street
Charles Phillips
Beer on premises

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Wine off premises

Wine on premises
(renewal)

Tops Texaco Mart #7 (renewal)
921 N. Miami Blvd.
Gregory Hatcher
Beer off premises
Wine off premises

Swings N Things, Inc.
DBA The Golf Center
4343 Garrett Road
Beer on premises
(new)

Tops Citgo Mart #8 (renewal)
1016 West Main Street
Terry Currin
Beer off premises
Wine off premises

Golf Shop Inc. (renewal)
Hillandale Golf Course
1600 Hillandale Road
Beer on premises
Wine on premises

Tops Texaco Mart #14
6007 Farrington Road
Charles Barbour
Beer off premises
Wine off premises

Marriott Hotel Services
DBA Raleigh Marriott
Triangle Park
4700 Guardian Drive
Scott Nadeau
Beer on premises
Wine on premises
(new)

Winn Dixie Store #874
Triangle Square Shopping Ctr.
Beer off premises
Wine off premises
(renewal)

R. David Thomas Center
Science Drive
Timothy Martin
Beer on premises
(renewal)

Winn Dixie Store #914 (renewal)
Heritage Square Shopping Ctr.
Beer off premises
Wine off premises

Revco Discount Drug Ctr.
3300 Guess Road
Frank Queen
Beer off premises
Wine off premises
(renewal)

Revco Discount Drug Ctr.
4621 Hillsborough Road
Greg Winstead
Beer off premises
Wine off premises
(renewal)

Volume Services (renewal)
409 Blackwell Street
Brian Rappoport
Beer on premises
Wine on premises

MOTION by Council Member Larson seconded by Council Member Miller to approve the issuance of Beer and Wine Licenses to the following establishments was approved at 8:24 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Griffin, Hyman, Langley, Larson and Miller. Noes: Council Members Cox, Engelhard and Wright. Absent At Time of Vote: Council Member McKissick.

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China Express (renewal)
2223 Hwy 54
Shu Jen Chao
Beer on/off premises
Wine on/off premises

China Palace (new)
5210 Garrett Road
Alice Huang
Beer on/off premises
Wine on/off premises

Italian Garden (new)
3211 Hillsborough Road
Joe Mazzurco
Beer on/off premises
Wine on/off premises

Kings Sandwich Shop
701 Foster Street
Lewis J. High
Beer on premises
Wine off premises
(renewal)

Lone Star Steakhouse
& Saloon (renewal)
3630 Chapel Hill Blvd.
Bob Nunes
Beer on/off premises
Wine on/off premises

Mazatlan (new)
5139 Roxboro Road
Rafael Estrada
Beer on/off premises
Wine on/off premises

Hawthorne Suites (renewal)
1500 Meredith Drive
Robert Leon Brodie
Beer on/off premises
Wine on/off premises

MOTION by Council Member Wright seconded by Council Member Larson to direct the administration to send a letter to the ABC Board documenting community concerns and police calls relative to Caroco No. 1 701 Alston Avenue [withholding the endorsement of the renewal for the permit] was approved at 8:29 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

SUBJECT: CITY COUNCIL MINUTES - MARCH 17, 1997 REGULAR MEETING

MOTION by Council Member Larson seconded by Council Member Miller to approve the official minutes of the regular March 17, 1997 City Council Meeting was approved at 8:29 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

[ITEM PULLED FROM THE CONSENT AGENDA]

May 5, 1997

**SUBJECT: DURHAM POLICE DEPARTMENT CONSULTANT'S REPORT -
IMPLEMENTATION PLAN**

To receive a report from the Administration concerning the Durham Police Department Consultant's Report.

Chris Tiffany, a resident of Pilot Street, raised concern relative to the citizen's complaint procedure forms not being accessible to the public and the process used by the Police Department to handle such complaints.

A motion was made by Council Member Larson to receive the report from the administration concerning the Durham Police Department Consultant's Report. This motion was seconded by Council Member Wright.

Council Member McKissick requested a friendly amendment to the motion - requesting the manager look into the handling of citizens' complaint forms and report findings to the Finance Committee.

MOTION by Council Member Larson seconded by Council Member Wright to receive a report from the Administration concerning the Durham Police Department Consultant's Report; and to direct the manager to review the handling of citizens' complaint forms and report findings to the Finance Committee was approved at 8:39 p.m. by the following vote: Ayes: Mayor Kerckhoff, Mayor Pro Tem Robinson and Council Members Brown, Clement, Cox, Engelhard, Griffin, Hyman, Langley, Larson, McKissick, Miller and Wright. Noes: None. Absent: None.

There being no further business to come before the Council, the meeting was adjourned at 8:39 p.m.

D. Ann Gray
Deputy City Clerk

Margaret M. Bowers, CMC
City Clerk